

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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FELISHATAY ALVARADO :  
Plaintiff : Civil Action No. 22-3763  
: :  
v. : :  
: :  
CITY OF PHILADELPHIA, *et al.* : :  

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**PLAINTIFF'S PROPOSED VERDICT FORM**

We, the jury, unanimously find the following by a preponderance of the evidence:

(1) Did any of the following Defendants intentionally commit an act that violated Plaintiff, Felishatay Alvarado's Fourth Amendment right to be free from unreasonable searches and seizures?

Joshua Burkitt	YES	_____	NO	_____
Eric Clark	YES	_____	NO	_____
Kevin Mellody	YES	_____	NO	_____
Brian Murray	YES	_____	NO	_____
Patrick Saba	YES	_____	NO	_____
Demetrius Monk	YES	_____	NO	_____
Edward Song	YES	_____	NO	_____
Jose Hamoy	YES	_____	NO	_____

IF YOU ANSWERED "YES" TO PART 1 FOR ANY OF THE ABOVE DEFENDANTS, GO TO PART 2. IF YOU ANSWERED "NO" TO PART 1 FOR ALL OF THE ABOVE DEFENDANTS, GO TO PART 6.

(2) Did any of acts of the following Defendants described in Part 1 above cause any injury to Plaintiff, Felishatay Alvarado?

Joshua Burkitt	YES	_____	NO	_____
Eric Clark	YES	_____	NO	_____
Kevin Mellody	YES	_____	NO	_____
Brian Murray	YES	_____	NO	_____
Patrick Saba	YES	_____	NO	_____
Demetrius Monk	YES	_____	NO	_____
Edward Song	YES	_____	NO	_____
Jose Hamoy	YES	_____	NO	_____

IF YOU ANSWERED "YES" TO PART 2 FOR ANY OF THE ABOVE DEFENDANTS, GO TO PART 3. IF YOU ANSWERED "NO" TO PART 1 FOR ALL OF THE ABOVE DEFENDANTS, GO TO PART 6.

(3) Please state the amount of money that will fairly compensate Plaintiff, Felishatay Alvarado, for any and all injury that she sustained due to the conduct of each of the Defendants (only award damages against the individual Defendants for whom you answered "YES" in both Part 1 and 2).

Joshua Burkitt	\$ _____
Eric Clark	\$ _____
Kevin Mellody	\$ _____
Brian Murray	\$ _____
Patrick Saba	\$ _____

Demetrius Monk \$ \_\_\_\_\_

Edward Song \$ \_\_\_\_\_

Jose Hamoy \$ \_\_\_\_\_

AFTER ANSWERING PART 3, GO TO PART 4.

(4) For each of the following individual Defendants for whom you answered “YES” in both Part 1 and 2, now please answer whether each of the following Defendants acted maliciously or wantonly in violating Plaintiff, Felishatay Alvarado’s rights?

Joshua Burkitt YES \_\_\_\_\_ NO \_\_\_\_\_

Eric Clark YES \_\_\_\_\_ NO \_\_\_\_\_

Kevin Mellody YES \_\_\_\_\_ NO \_\_\_\_\_

Brian Murray YES \_\_\_\_\_ NO \_\_\_\_\_

Patrick Saba YES \_\_\_\_\_ NO \_\_\_\_\_

Demetrius Monk YES \_\_\_\_\_ NO \_\_\_\_\_

Edward Song YES \_\_\_\_\_ NO \_\_\_\_\_

Jose Hamoy YES \_\_\_\_\_ NO \_\_\_\_\_

IF YOU ANSWERED “YES” TO PART 4, GO TO PART 5. OTHERWISE, GO TO PART 6.

(5) Do you award punitive damages against the following individual Defendants for whom you answered “YES” in Part 4?

Joshua Burkitt YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, in what amount? \$ \_\_\_\_\_

Eric Clark YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, in what amount? \$ \_\_\_\_\_

Kevin Mellody      YES       NO     

If yes, in what amount? \$

Brian Murray      YES       NO     

If yes, in what amount? \$

Patrick Saba      YES       NO     

If yes, in what amount? \$

Demetrius Monk      YES       NO     

If yes, in what amount? \$

Edward Song      YES       NO     

If yes, in what amount? \$

Jose Hamoy      YES       NO     

If yes, in what amount? \$

ONCE FINISHED WITH PART 5, GO TO PART 6.

(6)      Do you find by a preponderance of the evidence that Plaintiff, Felishatay Alvarado's Fourth Amendment right to be free from unreasonable searches and seizures was violated and that the injury suffered by Plaintiff, Felishatay Alvarado, was the result of a failure by Defendant, City of Philadelphia, to properly train its SWAT Officers regarding the Knock and Announce Rule and/or how to properly conduct reconnaissance before enforcing a warrant?

YES       NO

IF YOU ANSWERED “YES” TO PART 6, GO TO PART 7. OTHERWISE, STOP.

(7) Please state the amount of money that will fairly compensate Plaintiff, Felishatay Alvarado, for any and all injury that she sustained due to the failure of Defendant, City of Philadelphia, to train its SWAT Officers regarding the Knock and Announce Rule and/or how to properly conduct reconnaissance before enforcing a warrant?

\$ \_\_\_\_\_

**SO SAY WE ALL, this \_\_\_\_\_ day of \_\_\_\_\_, 2024**

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**Foreperson**

**Respectfully submitted,**

/s/ Keith West  
**Keith West, Esquire**  
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***Attorney for the Plaintiff***